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July 25, 2007

Honorable Marilyn Dolan Go  
United States District Court Magistrate  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: Aramburu v. Healthcare, CV 02 6535 (AAR)(MDG)**

Dear Judge Go:

Plaintiff is writing in regard to that portion of the court's order requiring the 30(b)(6) deposition of the defendant to be completed by July 31, 2007.

In an effort to have the deposition take place within the time set by the order, when Mr. Gold suggested the afternoon of July 31, 2007, I asked him what time and who the witness would be. Mr. Gold said he would be available at 4:00 P.M. and the witness would be Mr. Chipko, the same witness that was deemed inadequate by the order of July 6, 2007. Mr. Gold further suggested that if the deposition cannot be conducted by July 31, the deposition should take place after August 20, 2007, as he will be on vacation.

Because defendant has failed to comply with the July 6, 2007, order regarding production of information pertaining to spoliation, it is uncertain whether it will be necessary to take defendant's deposition on that issue. Furthermore, defendant has been ordered to produce financial documents on July 31, 2007. These documents may prove useful in conducting the deposition of the defendant. Therefore the plaintiff would request that the court order the defendant to produce an appropriate 30(b)(6) witness on August 21, 2007 to be made available from day to day to testify on financial issues as well as the spoliation issue if necessary.

Sincerely,

  
Lawrence Katz